

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LAZARUS ORTEGA,
Plaintiff,

No. C 12-03954 SBA (PR)

ORDER OF TRANSFER

v.

S. BENINGTON,
Defendant.

Plaintiff, a state prisoner currently incarcerated at California State Prison - Sacramento, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983. He has filed an in forma pauperis application which the Court has not yet ruled upon.

The acts complained of in his complaint occurred at California State Prison - Solano, which is located in the Eastern District of California, and it appears that Defendant resides in that district. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall transfer the case forthwith.

All remaining motions are TERMINATED on this Court's docket as no longer pending in this district.

IT IS SO ORDERED.

DATED: 8/14/12


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 LAZARUS ORTEGA,

5 Plaintiff,

6 v.

7 S.BENINGTON et al,

8 Defendant.

Case Number: CV12-03954 SBA

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on August 14, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 Lazarus Ortega F23334
16 C.S.P. SAC/B-8-227
17 P.O. Box 290066
18 Represa, CA 95671

19 Dated: August 14, 2012

20 Richard W. Wieking, Clerk
21 By: Lisa Clark, Deputy Clerk
22
23
24
25
26
27
28

United States District Court
For the Northern District of California